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1920 MAIN STREET
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IRVINE CA 92614-7230

In re Application of

Mary R. Rice

Application No. 10/748,953

Filed: December 30, 2003

For: METHOD AND SYSTEM FOR ARRANGING A
PAINT COLOR DISPLAY

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DECISION ON PETITION
TO MAKE SPECIAL


This is a decision on the Request for Reconsideration of the Petition to Make Special Under the Actual Infringement Provision filed October 15, 2004, treated as pursuant to MPEP §708.02, section II (Infringement).

A grantable petition under 37 CFR §1.102(d) and MPEP §708.02, section II (Infringement), must be accompanied by the required fee and a statement alleging:

- (1) that there is an infringing device or product actually on the market or method in use;
- (2) that a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and
- (3) that he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the pertinent prior art. Further, Applicant must provide a copy of each of the references deemed most closely related to the subject matter encompassed by the claims if the references are not already of record.

The supplemental statement filed October 15, 2004, taken together with the previously filed petition (filed July 13, 2004) meets all the above-listed requirements. Accordingly, the petition is **GRANTED**.

The application will retain its special status throughout its entire prosecution, including any appeal to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant.


Krista Zele
Special Program Examiner
Technology Center 2600
Communications